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EXPRESS MAIL NO.: EL 500 576 091 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Herath et al.

Serial No.: 10/014,338

Examiner: To Be Assigned

Filed: December 10, 2001

Group Art Unit: 1647

For: ADPI-41, A NOVEL PROTEIN  
ISOLATED FROM BRAIN TISSUE  
HOMOGENATE AND USES  
THEREFOR

Attorney Docket No.: 9195-077-999

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97 & §1.56**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of Applicants or Attorneys for Applicants which are or may be related to patentability of the claimed invention, Applicants hereby direct the Examiner's attention to references AA to AQ, which are listed on the accompanying revised PTO Form 1449. Copies of references AA to AQ are submitted herewith. In connection with reference AE (which is in Chinese), Applicants attach hereto a copy of a BLAST comparison between SEQ ID NO:2 in reference AE and SEQ ID NO:2 in the instant application.

Applicant respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

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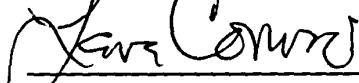
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NY2 - 1355720.1

Pursuant to 37 C.F.R. §1.97, because this Information Disclosure Statement is being submitted before the first substantive Office Action, it is believed no fee is due. If however, a fee is due, please charge any required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Date September 25, 2002

Respectfully submitted,



Laura A. Coruzzi

30,742

(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
Phone: (212) 790-9090

By: Scott Warren  
Reg. No. 47,167  
PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
Phone: (212) 790-9090

Enclosures



Sheet 1 of 1

LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)					ATTY. DOCKET NO.	APPLICATION NO.	
					9195-077	10/014,338	
					APPLICANT		
					Herath et al.		
FILING DATE					GROUP		
December 10, 2001					1647		
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,064,754	5/16/00	Parekh et al.			
	AB	6,278,794	8/21/01	Parekh et al.			2/8/00
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	AC	WO 98/23950	6/4/98	PCT			YES NO
	AD	WO 00/58473 (Specification, claims, and SEQ ID Nos. 2697 and 2698)	10/5/00	PCT			
	AE	WO 01/38369	5/31/01	PCT			X
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AF	Alafuzoff et al., 1986, "Isoelectric focusing and two-dimensional gel electrophoresis in plasma and cerebrospinal fluid from patients with dementia" Eur. Neurol. 25:285-289					
	AG	Azzi et al., 1993, "The mitochondrial tricarboxylate carrier", J. Bioenergetics Biomembranes 25:515-524					
	AH	Fleming et al., 2001, "A mutation in a mitochondrial transmembrane protein is responsible for the pleiotropic hematological and skeletal phenotype of <i>flexed-tail</i> (ff) mice", Genes Dev. 15:652-657					
	AJ	Harrington and Merriil, 1988, "Cerebrospinal fluid protein analysis in diseases of the nervous system", J. Chromatog. 429:345-358					
	AJ	Johnson et al., 1992, "Cerebrospinal fluid protein variations in common to Alzheimer's disease and schizophrenia", Applied and Theoretical Electrophoresis 3:47-53					
	AK	Mashige et al., 1992, "Analysis for cerebrospinal fluid proteins by sodium dodecyl sulfate-polyacrylamide gel electrophoresis", Clin. Chem. 38:2008-2012					
	AL	Mattila et al., 1994, "Altered blood-brain-barrier function in Alzheimer's disease?", Acta Neurol. Scand. 89:192-198					
	AM	Smith et al., 1997, "Iron accumulation in Alzheimer disease is a source of redox-generated free radicals", Proc. Natl. Acad. Sci. USA 94:9866-9868					
	AN	Smith et al., 2000, "Metabolic, metallic, and mitotic sources of oxidative stress in Alzheimer disease", Antioxidants & Redox Signaling 2:413-420					
	AO	Thompson and Johnson, 1982, "Electrophoresis of CSF proteins", British J. Hosp. Med. 28:600-608					
	AP	Townsend et al., 1987, "Comparison of methods for analysis of CSF proteins in patients with Alzheimer's disease", Neurochem. Pathol. 6:213-229					
	AQ	Wiederkehr, 1991, "Analysis of cerebrospinal fluid proteins by electrophoresis", J. Chromatog. 569:281-296					
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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Reference:

Altschul, Stephen F., Thomas L. Madden, Alejandro A. Schäffer, Jinghui Zhang, Zheng Zhang, Webb Miller, and David J. Lipman (1997), "Gapped BLAST and PSI-BLAST: a new generation of protein database search programs", Nucleic Acids Res. 25:3389-3402.

**Database:** AA\_DERWENT

855,305 sequences; 125,966,000 total letters

**Query=** humanproteinsequence  
(322 letters)

>AAG62389 | ID: standard; Protein; 322 AA|DT: 31-AUG-2001 (first entry) |DE: Rat tricarboxylate carrier 39|KW: Rat; tricarboxylate carrier 39; cytostatic; haemostatic; virucide; immunomodulatory; antiinflammatory; malignant tumour; haemopathy; human immunodeficiency virus; HIV; immunological disease; inflammatory disorder|OS: Rattus sp|PN: WO200138369-A1|PD: 31-MAY-2001|PF: 20-NOV-2000; 2000WO-CN00466|PR: 22-NOV-1999; 99CN-0124045|PA: (BIOR-) BIOROAD GENE DEV LTD SHANGHAI|PI: Mao Y, Xie Y|DR: WPI; 2001-355889/37 N-PSDB; AAH44832 |PT: New rat tricarboxylate carrier 39 for diagnosing and treating cancer, hemopathy, human immunodeficiency virus (HIV) infection, immunological diseases and inflammation - |PS: Claim 1; Fig 1; 34pp; Chinese|CC: This invention relates to a rat tricarboxylate carrier 39 and the cDNA sequence encoding it. The invention includes a vector containing the polynucleotide sequence, a host cell transformed with the vector, and an antibody that specifically binds to the protein. Use of the protein, nucleotide sequence and antibody may result in cytostatic; haemostatic; virucide; immunomodulatory; and antiinflammatory activity. The protein and its encoding polynucleotide are used in the diagnosis and treatment of malignant tumours, haemopathy, human immunodeficiency virus (HIV) infection, immunological diseases and various inflammatory disorders. The present sequence the rat tricarboxylate carrier 39 of the invention.

Length = 322

Score = 646 bits (1667), Expect = 0.0

Identities = 321/322 (99%), Positives = 321/322 (99%)

Query: 1 MSGELPPNINNIKEPRWDQSTFIGRANHFFTVDPRNILLTNEQLESARKIVHDYRQGIVP 60  
MSGELPPNINNIKEPRWDQSTFIGRANHFFTVDPRNILLTNEQLESARKIVHDYRQGIVP

Sbjct: 1 MSGELPPNINNIKEPRWDQSTFIGRANHFFTVDPRNILLTNEQLESARKIVHDYRQGIVP 60

Query: 61 PGLTENELWRAKYIYDSAFHPDTGEKMILIGRMSAQVPMNMTIGCMMTFYRTTPAVLFW 120  
PGLTENELWRAKYIYDSAFHPDTG KMILIGRMSAQVPMNMTIGCMMTFYRTTPAVLFW

Sbjct: 61 PGLTENELWRAKYIYDSAFHPDTGGKMILIGRMSAQVPMNMTIGCMMTFYRTTPAVLFW 120

Query: 121 QWINQSFNAVNYTNRSGDAPLTVNELGTAYVSATTGAVATALGLNALTGHVSPLIGRFV 180  
QWINQSFNAVNYTNRSGDAPLTVNELGTAYVSATTGAVATALGLNALTGHVSPLIGRFV

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Query: 181 PFAAVAAAANCINIPLMRQRELKVGVIPVTDENGNRLGESANAQAITQVVVSRLMAAPG 240

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Sbjct: 181 PFAAVAAANCINIPLMRQRELKVGIPVTDENGRLGESANAAKQAITQVVVSRLMAAPG 240

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Sbjct: 241 MAIPPFIMNTLEKKAFLKRFPWMSAPIQVGLVGFCLVFATPLCCALFPQKSSMSVTSLEA 300

Query: 301 ELQAKIQESHPELRRVYFNKGL 322  
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